IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 9416 of 2005

Sajida Rizwan Khan & anr. ..Petitioners

vs.

The Raigad Sahakari Bank Ltd. and others ..Respondents

None for petitioners
Shri N.N.Bhadrashete for respondent no.1.

CORAM: S.B.MHASE J.
10th February, 2006

P.C.

1. Learned Counsel Shri P.B.Kakade for the petitioners is absent. Shri Bhadrashete, learned counsel appearing for respondent no.1 states that while the proceedings under sec.101 were pending this writ petition was filed on the ground that claim made by the respondent no.1 is time barred. However, Shri Bhadrashete states that the proceedings under sec.101 have not been adjudicated and certificate under sec.101 has been issued on 18th January, 2006 and as against the said order revision under sec.154 still lies before the Joint Registrar and that is the appropriate, proper alternate remedy available to the petitioners. Statement is accepted.

2. In view of the said statement made on

behalf of respondent no.1, this Court finds that there is alternative efficacious remedy available to the petitioner. Therefore, the petition is not entertained. Hence, petition is rejected.

(S.B.MHASE J.)